

S.B. 694	S.C.R. 136
S.B. 701	S.C.R. 138
S.B. 768	S.C.R. 142
S.B. 769	S.C.R. 111
S.B. 778	S.C.R. 140
S.B. 780	S.C.R. 143
S.B. 791	S.B. 11
S.B. 805	S.B. 14
S.B. 823	S.B. 52
S.B. 837	S.B. 60
S.B. 878	S.B. 216 (Again Signed)
S.B. 882	S.B. 360
S.B. 900	S.B. 388
S.B. 905	S.B. 527
S.B. 913	S.B. 983

EIGHTY-FIFTH DAY
(Monday, May 28, 1973)

The Senate met at 11:35 o'clock p.m., pursuant to adjournment, and was called to order by the President.

The roll was called and the following Senators were present: Adams, Aikin, Andujar, Blanchard, Braecklein, Brooks, Clower, Creighton, Gammage, Harrington, Harris, Herring, Hightower, Jones, Kothmann, Longoria, Mauzy, McKinnon, McKnight, Meier, Mengden, Moore, Ogg, Patman, Santiesteban, Schwartz, Sherman, Snelson, Traeger, Wallace and Wolff.

A quorum was announced present.

(Senator Hightower in Chair)

MORNING CALL DISPENSED WITH

On motion of Senator Aikin and by unanimous consent, Morning Call was dispensed with.

HOUSE BILL 1061 ON SECOND READING

On motion of Senator McKnight and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to third reading:

H.B. 1061, A bill to be entitled An Act relating to compensation to certain counties in which either the county attorney or criminal district attorney performs the duties of a district attorney in addition to the duties of a county attorney or criminal district attorney; and declaring an emergency.

The bill was read second time and was passed to third reading.

HOUSE BILL 1061 ON THIRD READING

Senator McKnight moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that H.B. 1061 be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 26, Nays 1.

Yeas: Adams, Aikin, Andujar, Blanchard, Braecklein, Brooks, Clower, Gammage, Harrington, Hightower, Kothmann, Longoria, Mauzy, McKinnon, McKnight, Meier, Mengden, Ogg, Patman, Santiesteban, Schwartz, Sherman, Snelson, Traeger, Wallace and Wolff.

Nays: Jones.

Absent: Creighton, Harris, Herring and Moore.

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

RECORD OF VOTE

Senator Jones asked to be recorded as voting "Nay" on the final passage of the bill.

**CONFERENCE COMMITTEE REPORT
ON HOUSE BILL 68**

Austin, Texas
May 28, 1973

The Honorable William P. Hobby
President of the Senate

The Honorable Price Daniel, Jr.
Speaker of the House of Representatives

Sirs:

We, your Conference Committee appointed to adjust the differences between the House and the Senate on House Bill 68 have met and adjusted our differences and beg leave to recommend that it be passed in the form attached hereto.

Respectfully submitted,

BLANCHARD
HIGHTOWER
TRAEGE
SCHWARTZ
MAUZY
On the part of the Senate

COBB
ALLEN of Harris
SHORT
On the part of the House

The Conference Committee Report was read and was adopted by the following

vote: Yeas 31, Nays 0.

Yeas: Adams, Aikin, Andujar, Blanchard, Braecklein, Brooks, Clower, Creighton, Gammage, Harrington, Harris, Herring, Hightower, Jones, Kothmann, Longoria, Mauzy, McKinnon, McKnight, Meier, Mengden, Moore, Ogg, Patman, Santiesteban, Schwartz, Sherman, Snelson, Traeger, Wallace and Wolff.

SENATE BILL 994 WITH HOUSE AMENDMENTS

Senator Sherman called S.B. 994 from the President's table for consideration of the House amendments to the bill.

The President laid the bill and the House amendments before the Senate.

COMMITTEE AMENDMENT NO. 1

Section 1. Title 102, Revised Civil Statutes, as amended, is amended by adding a new Article, 6066e, to read as follows:

"Art. 6066e. Regulation of sale and distribution of LPG Products.

"It shall be the duty of the Railroad Commission at all times to consider and protect the rights and interests of the consuming and purchasing public of LPG products in the production, manufacture, distribution and sale of such products for the geographical area where produced and manufactured. As used herein, the term 'LPG products' shall be as defined in the Texas LPG Code, as amended, Article 6066d, Revised Civil Statutes of Texas.

"The Railroad Commission shall promulgate all necessary rules, orders, and regulations, after due notice and public hearing, to regulate and to set priorities for the sale and distribution of LPG products to achieve the above purposes. Nothing in this article shall be construed so as to permit the prevention of any producer of LPG products from receiving a fair market price for such products."

Section 2. This Act shall be considered supplemental only to all existing laws and regulations.

Section 3. Emergency. The importance of this legislation and the crowded condition of the calendars in both houses create an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each house be suspended, and this rule is hereby suspended, and that this Act take effect and be in force from and after its passage, and it is so enacted.

COMMITTEE AMENDMENT NO. 2

Amend Committee Substitute for S.B. 994 that section of Article 6066e, first paragraph, to read as follows:

"Art. 6066e. Regulation of sale and distribution of LPG Products.

"It shall be the duty of the Railroad Commission at all times to consider and protect the rights and interests of the consuming and purchasing public of LPG products in the production, manufacture, distribution and sale of such products and particularly to preserve existing rights of consumers in established distribution systems. As used herein, the term 'LPG products' shall be as defined in the Texas LPG Code, as amended, Article 6066d, Revised Civil Statutes of Texas."

COMMITTEE AMENDMENT NO. 3

A BILL

TO BE ENTITLED

An Act amending Title 102, Revised Civil Statutes of Texas, "Oil and Gas", by adding a new Article, Article 6066e, relating to the duty of the Railroad Commission of Texas to protect the rights and interests of the consuming and purchasing public of LPG Products, providing for hearings; and declaring an emergency.

The House amendments were read.

Senator Sherman moved that the Senate do not concur in the House amendments, but that a Conference Committee be appointed to adjust the differences between the two Houses on the bill.

The motion prevailed.

The President asked if there were any motions to instruct the Conference Committee on S.B. 994 before appointment.

There were no motions offered.

Accordingly, the President announced the appointment of the following conferees on the part of the Senate on the bill: Senators Sherman, Jones, Blanchard, Snelson and Herring.

**CONFERENCE COMMITTEE REPORT
ON SENATE BILL 721**

Senator Brooks submitted the following Conference Committee Report:

Austin, Texas
May 28, 1973

Honorable William P. Hobby
President of the Senate

Honorable Price Daniel, Jr.
Speaker of the House of Representatives

Sirs:

We, your Conference Committee, appointed to adjust the differences between the Senate and the House of Representatives on S.B. 721 have met and had same under consideration, and beg to report it back with the recommendation that it do pass in the form and text hereto attached.

Respectfully submitted,

BROOKS
CLOWER
HERRING
SANTIESTEBAN
On the part of the Senate

SCOGGINS
PARKER of Jefferson
HUTCHISON
On the part of the House

S.B. 721,

A BILL

TO BE ENTITLED

An Act relating to regulation of coin-operated machines and the coin-operated machine industry, recreating and reconstituting the Texas Vending Commission and changing its name to the Texas Amusement Machine Commission; providing for transfer of certain duties, powers, property, functions, responsibilities, and authority heretofore exercised by the Texas Vending Commission and the Comptroller of Public Accounts under Article 13.17, Title 122A, Taxation - General, Revised Civil Statutes of Texas, 1925, as amended; providing for payment of expenses; providing for hearings for licensing, fees, and certain restrictions on licensees and their employees and making certain requirements as to keeping of offices and records; providing for judicial review; providing grounds for refusal to issue or renew and to suspend or cancel licenses; relating to certain prohibited financial relationships and certificates of exemption; relating to certain prohibited provisions in certain contracts; providing for payment of certain receipts from coin-operated machines to be paid to owner as reimbursement for certain occupation taxes; providing for collection of certain occupation taxes; including other provisions relating to the subject; defining certain offenses and prescribing penalties; amending Sections 1 and 2, Chapter 587, Acts of the 62nd Legislature, Regular Session, 1971 (Article 4413(41), Vernon's Texas Civil Statutes); amending Section 2 of Article 13.02, Article 13.14, Sections 16, 20, and 24 of Article 13.17, and Subdivision (4), Section 19, and Subdivisions (1) and (3), Section 27, of Article 13.17, Title 122A, Taxation - General, Revised Civil Statutes of Texas, 1925, as amended; adding Subdivision (7) to Section 4, Subdivision (8) to Section 12, and Subdivisions (5) and (6) to Section 19, Article 13.17, Title 122A, Taxation - General, Revised Civil Statutes of Texas, 1925, as amended; repealing Section 25, Article 13.17, Title 122A, Taxation - General, Revised Civil Statutes of Texas, 1925, as amended; providing a severability clause; and declaring an emergency.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

Section 1. Sections 1 and 2, Chapter 587, Acts of the 62nd Legislature, Regular Session, 1971 (Article 4413(41), Vernon's Texas Civil Statutes), are amended to read as follows:

"Section 1. There is hereby created an agency of the State of Texas which shall be designated as the Texas Amusement Machine Commission; said Commission shall consist of the Director of the Department of Public Safety or his representative, the Commissioner of Consumer Credit or his representative, the State Attorney General or his representative, and three (3) private citizens of this state who do not have and have never had any financial interest whatsoever, either legal or equitable, direct or indirect, in the ownership or operation of any business or activity regulated or required to be licensed under Article 13.01 et seq., Title 122A, Taxation - General, Revised Civil Statutes of Texas, 1925, as amended, or in the ownership or operation of any corporation, association or business having a financial interest in the ownership or operation of any such business or activity, to be appointed by the Governor with the advice and consent of the Senate. In making the initial appointments, the Governor shall designate one member for a two-year term expiring September 1, 1975; one member for a four-year term expiring September 1, 1977; and one member for a six-year term expiring September 1, 1979. Thereafter their successors shall serve for six (6) years. Appointees shall hold office until their successors are appointed and qualified.

"Section 2. There are hereby transferred to the Texas Amusement Machine Commission all of the duties, powers, functions, responsibilities and authority heretofore exercised by the Texas Vending Commission and the Comptroller of Public Accounts under Chapter 13, Title 122A, Taxation - General, Revised Civil Statutes of Texas, 1925, as amended, so that hereafter the term 'Texas

Amusement Machine Commission' shall be substituted for the phrase 'Texas Vending Commission' and 'Comptroller of Public Accounts' or the word 'Comptroller' in said Chapter 13. Provided, however, the Texas Amusement Machine Commission shall promulgate procedural rules and regulations in a manner consistent with the general principles and statutes with respect to state agencies in general. Provided, further, the Commission shall promulgate procedural rules and regulations only consistent with the provisions of this Act and Chapter 13, Title 122A, Taxation - General, Revised Civil Statutes of Texas, 1925, as amended. Notwithstanding any other provision of this Act or Chapter 13, Title 122A, Taxation - General, Revised Civil Statutes of Texas, 1925, as amended, the Commission shall not have any power or authority to amend or enlarge upon any provision of this Act by rule or regulation to change the meaning in any manner whatsoever of any provision of this Act or Chapter 13, Title 122A, Taxation - General, Revised Civil Statutes of Texas, 1925, as amended, or to promulgate any rule or regulation which is in any way contrary to the underlying and fundamental purposes of this Act and Chapter 13, Title 122A, Taxation - General, Revised Civil Statutes of Texas, 1925, as amended, or to make any rule or regulation which is unreasonable, arbitrary, capricious, illegal, or unnecessary.

Sec. 2. Section 4, Article 13.17, Title 122A, Taxation - General, Revised Civil Statutes of Texas, 1925, as amended, is amended by adding a Subdivision (7) to read as follows:

"(7) The Texas Amusement Machine Commission may call and hold hearings, administer oaths, receive evidence at the hearing, issue subpoenas to compel the attendance of witnesses and the production of papers and documents related to the hearing, and make findings of fact and decisions with respect to administering the provisions of this Article or the rules, regulations, orders or other actions of the Commission."

Sec. 3. Subdivision (4), Section 19, Article 13.17, Title 122A, Taxation - General, Revised Civil Statutes of Texas, 1925, as amended, is amended to read as follows:

"(4) The Texas Amusement Machine Commission shall not renew a license for a business under this Article if it finds that a partner or major stockholder, officer, agent or representative of a licensee or any one employed by a licensee in a managerial or an administrative capacity, or an employee of a licensee as that term is defined in this subsection, has been convicted of a felony in a court of competent jurisdiction of this State or any other state or the United States, regardless of whether the sentence was probated or served, within five (5) years from the date of such person's first employment or association with the business, or thereafter. Provided, however, that if the Texas Amusement Machine Commission has received an affidavit signed and sworn to by an employee before a notary public qualified to administer said oath, stating that he has not been convicted of a felony in a court of competent jurisdiction of this State or any other state or the United States, regardless of whether the sentence was probated or served, within five (5) years from the date of such person's first employment or association with the business, or within five (5) years from the date of such affidavit, the Commission shall not renew a license for a business under this Article if it finds that the employee within the licensee's knowledge has been convicted of a felony in a court of competent jurisdiction of this State or any other state or the United States, regardless of whether the sentence was probated or served, within five (5) years from the date of such person's first employment or association with the business, or thereafter; provided further, however, that the Commission must have received the affidavit of an employee employed prior to the effective date of this Act, on or before January 1, 1974, and the Commission must have received the affidavit of an employee employed on or after the effective date of this Act, prior to his employment. The term 'employee' as used in this subsection shall mean anyone employed by a licensee who is not a partner or major stockholder, officer, agent or representative of a licensee or anyone employed by a licensee in a managerial or an administrative capacity."

Sec. 4. Section 19, Article 13.17, Title 122A, Taxation - General, Revised Civil Statutes of Texas, 1925, as amended, is amended by adding Subdivisions (5) and (6) to read as follows:

"(5) Any person who makes any false affidavit, or knowingly swears or affirms falsely to any matter or thing required by the terms of this Act to be sworn to or affirmed, is guilty of false swearing and upon conviction shall be punishable by fine or imprisonment as other persons committing false swearing are punishable.

"(6) The Texas Amusement Machine Commission shall not issue or renew a license for a business under this Chapter, and shall suspend for any period of time or cancel a license if the applicant fails to designate and maintain an office in this State, and if the applicant or licensee fails to keep, maintain and permit the inspection by the Commission of all records required to be kept by this Chapter or any other statute or by any rule or regulation of the Texas Amusement Machine Commission, at said designated office in this State."

Sec. 5. Section 12, Article 13.17, Title 122A, Taxation - General, Revised Civil Statutes of Texas, 1925, as amended, is amended by adding Subdivision (8) to read as follows:

"(8) The application shall designate an office in this State where all records required to be kept by this Chapter or any other statute or by any rule or regulation of the Texas Amusement Machine Commission shall be kept and maintained."

Sec. 6. Section 20, Article 13.17, Title 122A, Revised Civil Statutes of Texas, 1925, as amended, is amended to read as follows:

"Section 20. The Texas Amusement Machine Commission may refuse to issue or renew a license, and may suspend for any period or cancel a license if he finds that

"(1) the applicant or licensee has intentionally violated any provision of, or any regulation authorized by this Article during

"(a) the two years preceding the date of the application for an initial license; or

"(b) the period the current license was held;

"(2) the applicant or licensee has intentionally failed to answer any question or has made a false statement in, or in connection with, his application or renewal.

Sec. 7. Section 24, Article 13.17, Title 122A, Revised Civil Statutes of Texas, 1925, as amended, is amended to read as follows:

"Section 24. (a) A person whose application for a license has been refused or whose license has been suspended or cancelled by the Texas Amusement Machine Commission may take an appeal within 30 days after the order is entered, to any district court of Travis County.

"(b) A case reviewed under the provisions of this section proceeds in the District Court by trial de novo as that term is used in appeals from Justice of the Peace Courts to the County Courts of this State. Appeal from the judgment of the District Court lies as in other civil cases."

Sec. 8. Section 25, Article 13.17, Title 122A, Revised Civil Statutes of Texas, 1925, as amended, is repealed.

Sec. 9. Section 16, Article 13.17, Title 122A, Taxation - General, Revised Civil Statutes of Texas, 1925, as amended, is amended to read as follows:

"Section 16. (1) The annual license fee for a general business license shall be based on the number of music and the number of skill and pleasure, coin-operated machines in which each licensee shall have any interest as set forth in Section 8 of this Article; and said annual fee shall be Ten Dollars (\$10.00) for each such coin-operated machine, but in no event shall such fee be less than Fifty Dollars (\$50.00) nor more than Three Thousand Dollars (\$3,000.00). This fee shall be in addition to the tax levied by Article 13.02.

"(2) The annual license fee for an import license shall be Five Hundred Dollars (\$500.00) per annum.

"(3) After issuance of a license to a licensee, the Texas Amusement

Machine Commission may not refund any portion of a license fee."

Sec. 10. Subdivision (1), Section 27, Article 13.17, Title 122A, Taxation - General, Revised Civil Statutes of Texas, 1925, as amended, is amended to read as follows:

"(1) (a) Except as hereinafter provided in the case of the issuance of certificates of exemption hereunder, it shall be unlawful for a person who has a financial interest in a business required to be licensed by this Article to knowingly have a financial interest in a business engaged in selling or serving alcoholic beverages for on-premises consumption unless otherwise permitted in this Article. No bona fide financial interest or commitment in existence prior to September 1, 1969, shall be deemed a violation of this Article, but no such interest or commitment may be renewed or altered after September 1, 1969, without the written approval of the Commission provided that this prohibition shall not apply if the business engaged in selling or serving alcoholic beverages be a corporation whose securities are registered under the laws of the United States or the State of Texas.

"(b) The provisions of Paragraph (a), next above, of this Section do not apply to persons who obtain a certificate of exemption from the Amusement Machine Commission. A separate certificate of exemption is required annually for each place of business. The holder of a certificate or certificates of exemption shall not be required to obtain a license under Section 8 of this Article. The Commission shall issue a certificate of exemption if it finds that:

"(1) the licensee or permittee under the Texas Liquor Control Act owns and operates coin-operated machines which are used exclusively on premises occupied by him and are used only in connection with the business at which alcoholic beverages are sold or served; and

"(2) the licensee or permittee does not own any machines subject to the occupation tax imposed by this Article which are located on the business premises of another person; and

"(3) except for the licensee's or permittee's interest in his own machines used exclusively on premises occupied by him, he has no direct or indirect financial interest in the coin-operated music, skill, or pleasure machine industry.

"(c) A certificate of exemption issued under Subdivision (b) of this subsection does not excuse the holder from the occupation tax, levied by Article 13.02, Title 122A, Taxation - General, Revised Civil Statutes of Texas, 1925, as amended, or the annual registration fee imposed under this Article. The Amusement Machine Commission shall prescribe rules and regulations relating to the application for certificates. A certificate expires one year from date of issuance and is renewable in the same manner as its first issuance. If the holder of a certificate commits any act which makes him no longer entitled to a certificate of exemption, it shall be revoked by the Commission. In the case of a revocation or refusal to issue or renew a certificate of exemption, the holder is entitled to the same appellate review as is available to the holder of a general business license under the same circumstances.

"(d) All music, skill or pleasure coin-operated machines covered by a certificate of exemption must be registered with the Commission. The registration shall be filed annually. It shall contain the make, type, and serial number of each machine and shall be signed before a notary under oath. For each machine covered by certificate of exemption the owner shall pay an annual registration fee of fifteen dollars."

Sec. 11. Article 13.14, Title 122A, Taxation - General, Revised Civil Statutes of Texas, 1925, as amended, is amended to read as follows:

"Article 13.14 APPORTIONMENT OF TAX; TAX LEVY BY COUNTIES AND CITIES. Except as herein provided in this Chapter, one-fourth (1/4) of the net revenue derived from this Chapter shall be credited to the Available School Fund of the State of Texas and three-fourths (3/4) of the net revenue derived from this Chapter shall be credited to the Clearance Fund, established by Article XX of House Bill No. 8, Chapter 184, Acts of the Forty-seventh

Legislature, Regular Session, 1941. Provided that all counties and cities within this State may levy an occupation tax on coin-operated machines in this State in an amount not to exceed one half (1/2) of the State tax levied herein.

A city or county which levies an occupation tax under this Article shall collect the tax in equal quarterly installments for the calendar quarters ending on the last day of March, June, September, and December, with the tax for the quarter due by the last day of the month following the end of the quarter."

Sec. 12. Subdivision (3), Section 27, Article 13.17, Title 122A, Taxation - General, Revised Civil Statutes of Texas, 1925, as amended, is amended to read as follows:

"(3) (a) It shall be unlawful for a person who has a financial interest in a business required to be licensed by this Article or for any agent on behalf of such person to contract to convey an interest in any property, of any nature or kind, whether by lease, sub-lease, installment purchase, conditional sale or otherwise if such contract contains a provision or provisions in any way limiting the other party's right to secure music or skill or pleasure coin-operated machines from any source.

"(b) In addition to the prohibition of paragraph (a), next above, no person licensed under this Article may place or operate a music or skill or pleasure coin-operated machine in an establishment (i) at which alcoholic beverages are sold or served for on-premises consumption under an appropriate alcoholic beverage license granted to another person and (ii) which is situated on real property occupied by another and in which the licensee under this Article has an interest, except by written lease, sub-lease, installment purchase or other contract. The lease, sub-lease or other contract shall include all provisions of the agreement between the parties and shall contain a statement sworn to by both parties that there are no other understandings or agreements between the parties. After the execution of any such lease, sub-lease or other contract, one (1) executed copy thereof shall be filed with the Commission. In addition to any other powers and authorities granted to the Commission under this Article, the Commission shall be authorized to cancel and rescind all licenses or any license granted under this Article to any party to such agreement, if it shall find, after due notice and hearing, any one or more of the following facts to exist, to-wit:

"(A) that all or any part of the rentals or other payments thereunder to the licensee under this Article are subject to adjustment as to rate or amount by reason or on account of the volume or quantity of alcoholic beverages sold or served on the premises; or

"(B) that any of the provisions thereof require the lessee, sub-lessee or other holder of the appropriate alcoholic beverage permit or license to install or utilize in said establishment the coin-operated machines of the licensee under this Article; or

"(C) that the amount of or other provisions pertaining to the rentals or other amounts payable thereunder to the licensee under this Article, or the other provisions of such agreement, constitute a deception or subterfuge for the purpose of avoiding the prohibitions contained in this Article; or

"(D) that the transaction proposed by such agreement will otherwise create a relationship in violation of this Article; or

"(E) that other than for good cause shown by the parties, the lease, sub-lease or other contract is not being diligently enforced by the parties thereto.

"The Commission shall notify the licensed party under this Article of the reasons for any cancellation under this Section, and the parties shall have the right to appeal any such cancellation to the District Court in Travis County as appeals in other cases under Section 24 of this Article. A copy of all amendments to any said agreement shall be furnished to the Commission within ten (10) days of the execution thereof. The parties shall notify the Commission of any default under any said agreement by either party within ten (10) days of the occurrence of any such default.

"This provision shall not be applicable to any leases, sub-leases or other

contracts executed prior to September 1, 1973. However, copies of any such pre-existing agreement and/or a memorandum of any pre-existing oral agreement shall be filed with the Commission not later than September 15, 1973. Each such pre-existing agreement or memorandum thereof, shall be sworn to by the parties.

"(c) In the performance of their other duties and powers under any other laws, any auditor, accountant or agent of any agency or department of this State having jurisdiction over the licensees under this Article or any licensee or licensed premises under any other law of this State who shall be a party to any such agreement, shall have the power, and it shall be their duty, to examine the books, records and accounts relating to the leases, sub-leases and other contracts described in paragraph (b), next above, and to report their findings of compliance or noncompliance with the requirements of this Section to the Commission.

"(d) Any intentional violation of any provision of this subsection shall subject the person committing such intentional violations to the criminal penalties provided in this Article for violation of the provisions of this subsection."

Sec. 13. If any word, phrase, clause, paragraph, sentence, part, portion, or provision of this Act or the application thereof to any person or circumstance is held to be invalid or unconstitutional, the remainder of this Act shall nevertheless be valid, and the legislature hereby declares that this Act would have been enacted without such invalid or unconstitutional word, phrase, clause, paragraph, sentence, part, portion, or provision or applications. This Act shall be liberally construed to effectuate the purposes set forth herein.

Sec. 14. This Act takes effect September 1, 1973.

Sec. 15. The importance of this legislation and the crowded condition of the calendars in both houses create an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each house be suspended, and this rule is hereby suspended, and that this Act take effect and be in force from and after September 1, 1973, and it is so enacted.

The Conference Committee Report was read and was adopted.

MESSAGE FROM THE HOUSE

Hall of the House of Representatives
Austin, Texas, May 28, 1973

Honorable William P. Hobby
President of the Senate

Sir: I am directed by the House to inform the Senate that the House has passed the following:

The House has adopted the Conference Committee Report on House Bill 264 by a vote of 130 Ayes, 5 Noes, with 10 Present-Not voting.

The House has adopted the Conference Committee Report on House Bill 68 by non-record vote.

The House has adopted the Conference Committee Report on Senate Bill 984 by non-record vote.

All necessary rules suspended and the House has concurred in Senate amendments to House Bill 1387 by non-record vote.

All necessary rules suspended and the House has concurred in Senate amendments to House Bill 482 by vote of 109 Ayes, 30 Noes, with 3 Present-Not voting.

Respectfully submitted,
DOROTHY HALLMAN
Chief Clerk, House of Representatives

SENATE CONCURRENT RESOLUTION 123

Senator Adams offered the following resolution:

S.C.R. 123, Providing for Sine Die adjournment of the 63rd Legislature.

The resolution was read.

Senator Adams offered the following amendment to the resolution:

Amend S.C.R. 123 by striking the words "11:00 p.m." and inserting the words "12:00 p.m.".

The amendment was read and was adopted.

The resolution as amended was then adopted.

CONFERENCE COMMITTEE REPORT ON HOUSE BILL 264 ADOPTED

The Senate resumed consideration of the pending business, same being the Conference Committee Report on H.B. 264.

Question, Shall the Conference Committee Report be adopted?

The Conference Committee Report was adopted.

RECORD OF VOTES

Senators Creighton and Meier asked to be recorded as voting "Nay" on the adoption of the Conference Committee Report.

MOTION IN WRITING

Senator Aikin submitted the following Motion in Writing:

Mr. President:

I move that the President be authorized to appoint a committee of five (5) members to notify the Governor that the Senate has completed its labors and is ready to adjourn sine die.

AIKIN

The Motion in Writing was read and was adopted.

The President announced the appointment of the following committee to Notify the Governor: Senators Ogg, Andujar, Patman, Santiesteban and Meier.

MOTION IN WRITING

Senator Aikin submitted the following Motion in Writing:

Mr. President:

I move that the President be authorized to appoint a committee of five (5) members to notify the House of Representatives that the Senate has completed its labors and is ready to adjourn sine die.

AIKIN

The Motion in Writing was read and was adopted.

The President announced the appointment of the following committee to notify the House of Representatives: Senators Aikin, Herring, Hightower, Mauzy and Brooks.

BILLS SIGNED

The President announced the signing in the presence of the Senate after the caption had been read, the following enrolled bills:

S.B. 714
S.B. 357
S.B. 803

PRESENTATION OF GUEST

The Honorable Dolph Briscoe was announced at the Bar of the Senate, was admitted, and was escorted to the President's Rostrum by Senators Ogg, Andujar, Patman, Santiesteban and Meier.

The Governor then addressed the Joint Session, commending the Members on the accomplishments of the 63rd Legislature.

HOUSE NOTIFIED

The committee to notify the House of Representatives that the Senate was ready to adjourn sine die appeared at the Bar of the Senate and Senator Aikin for the committee reported that the committee had performed the duty assigned to it.

The committee was discharged.

GOVERNOR NOTIFIED

The committee to notify the Governor that the Senate was ready to adjourn sine die appeared at the Bar of the Senate and Senator Aikin for the committee reported that the committee had performed the duty assigned to it.

The committee was discharged.

BILLS AND RESOLUTIONS SIGNED

The President announced the signing in the presence of the Senate after the caption had been read, the following enrolled bills and resolutions:

H.B. 1666	H.B. 264
H.B. 2	H.B. 1
H.B. 1061	H.B. 1145
H.B. 1387	H.B. 447
H.B. 482	H.C.R. 195
H.B. 4	H.C.R. 225
H.B. 68	H.C.R. 228
H.B. 200	

ADJOURNMENT SINE DIE

The President announced that the hour for final adjournment of the Regular Session of the Sixty-Third Legislature had arrived.

Senator Andujar moved that the Senate of the Sixty-Third Legislature stand adjourned sine die.

The motion prevailed and the President declared the Regular Session of the Sixty-Third Legislature adjourned sine die at 12:00 o'clock m.

APPENDIX**Sent to Governor****May 29, 1973**

S.B. 485	S.B. 388
S.B. 506	S.B. 527
S.B. 14	S.B. 983
S.B. 52	S.B. 357
S.B. 60	S.B. 714
S.B. 216	S.B. 803
S.B. 360	S.B. 34 (Again sent)
S.B. 777 (Again sent)	